

a lifetime of their father's love and affection. I grieve for the people of Lompoc, and Los Alamos—Scott's hometown, still stunned and shocked by this murder in their midst.

I intend to initiate some inquiries concerning the appropriate way to prevent such acts of senseless savagery from happening in the future. As a proper testament to the life of Officer Scott Williams, it is incumbent upon us to do no less.●

#### TELEMARKETING FRAUD PREVENTION ACT

● Mr. KYL. Mr. President, I rise to comment on the Telemarketing Fraud Prevention Act of 1997. I am pleased to sponsor this bill, which directs the U.S. Sentencing Commission to increase penalties for those who purposefully defraud vulnerable members of our society and those who cross international borders to evade prosecution. I thank Senator REID for his sponsorship of this bill, and his leadership in combating telemarketing fraud.

Current penalties for this crime are not tough enough to deter the problem and they leave the victims without restitution. Penalties for bank, wire, radio, and television fraud are at least two-thirds higher than the penalty for telemarketing fraud. Too often, telemarketing fraud felons receive a sentence of fewer than 5 years in prison. The toughest penalty to date is 10 years. These are small penalties considering that many telemarketing fraud criminals have stolen the life savings of retired senior citizens.

Mr. President, thousands of Americans lose billions of dollars a year from telemarketing fraud. According to Maryland Attorney General J. Joseph Curran, Jr., telemarketing fraud is probably the fastest growing illegal activity in this country. An Associated Press story reported that top prosecutors in Arizona and 9 other States filed lawsuits or took other legal action against more than 70 telemarketers nationwide 2 years ago in an attempt to crack down on fraud that costs consumers more than \$40 billion a year.

Senior citizens appear to be the most vulnerable to chicanery of this kind. Fred Schulte, an investigating editor for the Fort Lauderdale Sun-Sentinel and an expert on telemarketing fraud, has pointed out that senior citizens are often too polite or too lonely not to listen to the voice on the other end of the line. The risk of being taken advantage of, I believe, increases with age. According to Attorney General Reno, it is not uncommon for senior citizens to receive as many as five or more high-pressure phone calls a day.

As one telemarketing con man who has worked all over the country put it: "people are so lonely, so tired of life, they can't wait for the phone to ring. It's worth the \$300 to \$400 to them to think that they got a friend. That's what you play on." Mr. President, malicious criminal activity like this must be punished appropriately.

These criminals prey on the vulnerable of our society. In one case, Nevada authorities arrested a Las Vegas telemarketer on a charge of attempted theft. The telemarketer was accused of trying to persuade a 92-year-old Kansas man who had been fraudulently declared the winner of \$100,000 to send \$1,900 by Western Union in advance to collect his prize. Another example: a Maine company showed real telemarketing creativity. For \$250, the so-called Consumer Advocate Group offered to help consumers recover money lost to fraudulent telemarketers—but it provided no services, according to Wisconsin Attorney General James Doyle, who sued the Maine firm plus four other telemarketers.

Mr. President, the Association of Attorneys General has supported similar consumer protection efforts in the past. As Minnesota Attorney General Hubert H. Humphrey III put it last year: "In the hands of a con artist, a phone is an assault weapon."

I would, at this time, like to highlight one specific provision of the bill. Section 2 requires that an offender forfeit any real or personal property derived from proceeds obtained as a result of the offense. The proceeds shall be used, as determined by the Attorney General, for the national information hotline established under the Violent Crime Control and Law Enforcement Act of 1994. The proceeds of the fraud will be returned to help the victims. I believe that it is important to pay attention to victims' rights in this area.

Last year, more than 400 individuals were arrested by law-enforcement officials working on Operation Senior Sentinel. Retired law-enforcement officers and volunteers, recruited by AARP, went undercover to record sales pitches from dishonest telemarketers. Volunteers from the 2-year-long Operation Senior Sentinel discovered various telemarketing schemes. Some people were victimized by phony charities or investment schemes. Others were taken in by so-called premium promotions in which people were guaranteed one of four or five valuable prizes but were induced to buy an overpriced product in exchange for a cheap prize. One of the most vicious scams preyed on those who had already lost money. Some telemarketers charged a substantial fee to recover money for those who had been victimized previously—and proceeded to renege on the promised assistance. By the time the dust settled, it took the Justice Department, the FBI, the FTC, a dozen U.S. attorneys and State attorneys general, the Postal Service, the IRS, and the Secret Service to arrest over 400 telemarketers in five States, including my home State of Arizona.

Clearly telemarketing fraud is on the rise. It is estimated that 8 out of 10 households are targets for telemarketing scams that bilk us of up to \$40 billion annually. The telemarketing industry rakes in more than \$600 billion in annual sales. There are many sen-

iors in my State and across the country who must be protected against this type of fraudulent activity. That is why I have sponsored this bill. The House of Representatives passed a bill similar to mine in the 104th Congress, which has been reintroduced during this Congress by Representative GOODLATTE. It already has 47 cosponsors and the support of the 60 Plus Association and the National Consumers League. I urge my colleagues to join us and cosponsor the Telemarketing Fraud Prevention Act.●

#### MEASURE READ FOR THE FIRST TIME—S. 522

Mr. MURKOWSKI. Mr. President, under rule XIV, I understand Senate bill 522, which was introduced today by Senator COVERDELL, is at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill for the first time.

The assistant legislative clerk read as follows:

A bill to amend the Internal Revenue Code of 1986 to impose civil and criminal penalties for the unauthorized access of tax returns and tax return information by Federal employees and other persons, and for other purposes.

Mr. MURKOWSKI. Mr. President, I ask for its second reading and object to my own request on behalf of Senators on the Democratic side of the aisle.

The PRESIDING OFFICER. Objection is heard.

#### OROVILLE-TONASKET CLAIMS SETTLEMENT AND CONVEYANCE ACT

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 412, which was received from the House.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 412) to approve a settlement agreement between the Bureau of Reclamation and the Oroville-Tonasket Irrigation District.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. GORTON. Mr. President, today, the Senate will take up and pass H.R. 412, legislation authorizes a settlement between the Bureau of Reclamation and the Oroville-Tonasket Irrigation District in Washington State. Senator MURRAY and I introduced identical legislation on this subject earlier this month.

The reason for the speedy passage of this legislation is directly related to the settlement entered into between the Bureau of Reclamation and the irrigation district. This legislation will authorize a carefully negotiated settlement between the BOR and the